

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on September 17, 2003.

I. DISPUTE

Whether there should be reimbursement for out-of-pocket expenses for dates of service December 30, 2002 and January 9, 2003.

II. FINDINGS

Per Rule 133.307(d) dates of service March 30, 2000 through August 9, 2002 are outside the jurisdiction of Medical Review, Dispute Resolution and cannot be reviewed.

III. RATIONALE

Per Rule 133.307(f) the requestor did not incur nor pay for health care services for dates of service December 30, 2002 and January 9, 2003. Reimbursement for “work missed”, “medical records” and mileage is not within the jurisdiction of Medical Dispute Resolution and should be addressed at the claimants’ local field office.

IV. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined the requestor is not entitled to reimbursement.

The above Findings and Decision are hereby issued this 30th day of December 2003.

Marguerite Foster
Medical Dispute Resolution Officer
Medical Review Division

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